

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
v.) CASE NO. 2:05CR297-WHA
)
JOYCE RENEE KING)

ORDER

On 11 July 2006, the court conducted an evidentiary hearing on the petition to revoke the defendant's ["King"] release pending sentencing. The only witness at the hearing was the defendant's probation officer, Donnelle Thompson ["Thompson"]. Upon consideration of the testimony and counsel's statements, it is

ORDERED that King's release be REVOKED. The evidence established that King failed to comply with one of the conditions of her release, i.e., that she reside with her grandmother.¹ Thompson did not supervise King from the time of her guilty plea until 3 July 2006, when, by happenstance, she encountered King at a local grocery. In the interim, Thompson had made several attempts to locate King and had left messages with her relatives. On 3 July, King acknowledged that she was aware of Thompson's efforts to find her, but King made no effort to contact Thompson. The court is therefore persuaded that King's failure to comply was not justifiable.

¹Before she entered her plea of guilty on 19 June 2006 (Doc. # 120), the defendant had maintained several unstable residences, thereby complicating supervision. Moreover, she had failed to secure full-time, verifiable employment, contrary to one of the conditions of her release set in January 2006 (Doc. # 30). At best, the evidence established that the defendant did not secure employment until after her plea of guilty.

Accordingly, King is remanded to the custody of the United States Marshal pending her sentencing.

DONE this 12th day of July, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE